

MINUTES
HOUSE JUDICIARY, RULES & ADMINISTRATION COMMITTEE

DATE: Thursday, February 11, 2021

TIME: 1:30 P.M.

PLACE: Room EW42

MEMBERS: Chairman Chaney, Vice Chairman Hartgen, Representatives Kerby, Amador, Ehardt, Scott, Marshall, Troy, Young, Nate, Cannon, Erickson, Skaug, Gannon, McCrostie, Ruchti, Nash

**ABSENT/
EXCUSED:** Representative(s) Ehardt

GUESTS: Ashley Dowell, COPP; Kate Haas, Kestrel West/Philanthropy Roundtable

Chairman Chaney called the meeting to order at 1:30 p.m.

MOTION: **Rep. Nash** made a motion to approve the February 1 and February 3, 2021, meeting minutes. **Motion carried by voice vote.**

Director Monty Prow, Idaho Department of Juvenile Correction (IDJC), presented the agency's 2022 budget request, including an overview of the juvenile justice system and the Children At Risk Evaluation Services (CARES) funding.

Ashley Dowell, Executive Director, Idaho Commission of Pardons and Parole (COPP), presented the Commission's 2022 budget request. She explained the specifics of the CARES funding and the use of virtual hearings.

Rep. Julianne Young, Chairman, Coronavirus Liability Immunity Sub-Committee, presented the subcommittee's recommendations to maintain the existing liability immunity language scope and extend the sunset date to July 1, 2022.

MOTION: **Rep. Skaug** made a motion to accept the report of the Coronavirus Liability Immunity Sub-Committee. **Motion carried by voice vote.**

RS 28481: **Rep. Julianne Young**, District 31, presented **RS 28481** to extend the Coronavirus Limited Immunity Act's sunset date to July 1, 2022.

MOTION: **Rep. Troy** made a motion to introduce **RS 28481**. **Motion carried by voice vote.**

RS 28535: **Rep. Aaron von Ehlinger**, District 6, presented **RS 28535**, proposed legislation to provide a mandatory minimum five-year sentence for election or voter fraud. In response to a Committee question, Rep. von Ehlinger said he had not been in contact with County Prosecutors.

MOTION: **Rep. Marshall** made a motion to return **RS 28535** to the sponsor. **Motion carried by voice vote.** **Reps. Nate, Amador, and Chaney** requested they be recorded as voting **NAY**.

RS 28453: **Rep. Ryan Kerby**, District 9, presented **RS 28453**. This proposed legislation corrects an unintended consequence of continued license suspension and interlock devices when Driving Under the Influence charges are dropped and the case is vacated or dismissed. Exception is made for individuals who refuse to cooperate with evidence collection.

MOTION: **Rep. McCrostie** made a motion to introduce **RS 28453**. **Motion carried by voice vote.**

Chairman Chaney turned the gavel over to **Vice Chairman Hartgen**.

RS 28509: **Rep. Greg Chaney**, District 10, presented **RS 28509** to require charitable bail organizations follow the same protocols as private bondsman and register with the Department of Insurance. It would also provide transparency for their funding sources.

MOTION: **Rep. Skaug** made a motion to introduce **RS 28509**. **Motion carried by voice vote.**
Vice Chairman Hartgen turned the gavel over to **Chairman Chaney**.

H 41: **Rep. Kevin Andrus**, District 28, presented **H 41**, proposed legislation to prohibit extraneous reporting requirements beyond Idaho Code for private foundations and charitable trusts.

MOTION: **Rep. Troy** made a motion to send **H 41** to the floor with a **DO PASS** recommendation.
The committee invited **Kate Haas**, Kestral West, Philanthropy Roundtable, to answer a question. She stated the rules are derived and in line with Idaho Code.

VOTE ON MOTION: **Chairman Chaney** called for a vote on the motion to send **H 41** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Andrus** will sponsor the bill on the floor.

H 94: **Rep. Caroline Nilsson Troy**, District 5, presented **H 94** to allow a Board of Education or Department of Education designee to serve on the Data Oversight Council (DOC). The legislation also provides for a vice chairman from among the DOC members and makes technical corrections.
Chairman Chaney turned the gavel over to **Vice Chairman Hartgen**.
Ashley Dowell, Executive Director, Idaho COPP, Chairman, Oversight Council for the Criminal Justice Integrated Data System, was invited to answer a committee question. She said the designee has not yet been determined because the council has only met one time.

MOTION: **Rep. Kerby** made a motion to send **H 94** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Troy** will sponsor the bill on the floor.

H 96: **Rep. Caroline Nilsson Troy**, District 5, and **Seth Johnson** Intern, Boise State University (BSU), presented **H 96** to add a new section of Idaho Code to allow Idahoans without drivers' licenses due to child support non-payment the opportunity to petition the court for a temporary restricted driver's license.
Vice Chairman Hartgen turned the gavel over to **Chairman Chaney**.

MOTION: **Rep. Nash** made a motion to send **H 96** to the floor with a **DO PASS** recommendation.
In response to committee questions, **Rep. Troy** said the courts have the discretion to determine hours and other restrictions for the temporary license.

VOTE ON MOTION: **Chairman Chaney** called for a vote on the motion to send **H 96** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Troy** will sponsor the bill on the floor.

RS 28484: **Rep. Caroline Nilsson Troy**, District 5, presented **RS 28484**, proposed legislation to create a new Idaho Code chapter for the COPP, which separated from the Board of Corrections over ten years ago.

MOTION: **Rep. Cannon** made a motion to introduce **RS 28484**. **Motion carried by voice vote.**

RS 28541: **Rep. Caroline Nilsson Troy**, District 5, presented **RS 28541**. This proposed legislation requires rental security deposits managed by a third party be held in a separate account at a federally insured financial institute.

MOTION: **Rep. Kerby** made a motion to introduce **RS 28541**. **Motion carried by voice vote.**

ADJOURN: There being no further business to come before the Committee, the meeting adjourned at 3:08 p.m.

Representative Chaney
Chair

Andrea Blades
Secretary